

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
PLAINTIFF,)	
)	
v.)	
)	Case No.: 3:16-cv-00489-CWR-JCG
)	
)	
HINDS COUNTY, ET AL.,)	
)	
DEFENDANTS.)	
_____)	

**MEMORANDUM IN SUPPORT OF JOINT MOTION
FOR ENTRY OF STIPULATED ORDER**

The United States and Hinds County¹ respectfully move this Court to grant their Joint Motion for Entry of Stipulated Order. In support of their Joint Motion, the United States and Hinds County state the following:

1. On July 29, 2016, this Court entered its Order accepting the parties' Settlement Agreement resolving the United States' Complaint in this matter (ECF No. 8) ("Consent Decree").
2. On June 24, 2019, the United States filed a Motion for an Order to Show Cause Why Defendants Should Not be Held in Contempt (ECF No. 30).

¹ Defendants include Hinds County, Mississippi, the Hinds County Board of Supervisors, and the Sheriff of Hinds County, in his official capacity (collectively "Hinds County"). Settlement Agreement Between the United States of America and Hinds County, Miss., Regarding the Hinds County Jail, July 19, 2016, ECF No. 8-1, PX 114 ¶¶ 1-4 ("Settlement").

3. The parties agree that Hinds County has not yet reached compliance with all provisions of the Consent Decree.

4. Accordingly, rather than involve the Court in a contentious trial, the parties reached consensus on the terms of a Joint Stipulated Order to be entered by this Court. The Joint Stipulated Order outlines short-term steps, as well as longer-term steps, that Hinds County will take towards achieving additional compliance with the Consent Decree.

5. In support of the Joint Motion, the United States and Hinds County agree that the Court may rely upon the entire record in these proceedings, including, but not limited to, previously filed monitor reports, as well as exhibits already entered into the record as part of the United States' Motion.

6. The United States and Hinds County agree that the additional relief set forth in the Joint Stipulated Order complies in all respects with the provisions of 18 U.S.C. § 3626(a). The relief is narrowly drawn, extends no further than necessary to correct violations of federal rights agreed by the parties with the entry of the Consent Decree, and is the least intrusive means necessary to correct these violations, and will not have an adverse impact on public safety or the operation of the criminal justice system.

CONCLUSION

Entry of the attached Joint Stipulated Order will allow Hinds County to move closer to complying with the Consent Decree without wasting time in an unnecessary and protracted trial. Accordingly, the United States and Hinds County jointly request that the Court enter the mutually agreed upon stipulated order, attached hereto as Exhibit 1.

Respectfully submitted,

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DATED: December 16, 2019

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2019, I served the foregoing via the Court's CM/ECF system, which will automatically provide notice to all counsel of record.

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